

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Revision of the Commission's Rules to)
Ensure Compatibility with)
Enhanced 911 Emergency Calling Systems)

CC Docket No. 94-102

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

COMMENTS OF THE RURAL TELECOMMUNICATIONS GROUP

I. Introduction

The Rural Telecommunications Group ("RTG") hereby respectfully submits these comments in response to the Federal Communications Commission's ("FCC" or "Commission") June 1, 1999 *Public Notice*¹ in the above-captioned proceeding seeking targeted comments on wireless E911 Phase II Automatic Location Identification ("ALI") requirements. RTG is a group of rural telecommunications providers who have joined together to speed the delivery of new, efficient, and innovative telecommunications technologies to the populations of remote and underserved sections of the country. RTG members provide cellular telephone service and Personal Communications Service ("PCS") to subscribers. RTG members serve the very communities in which they live and therefore have an inherently personal commitment to public safety. RTG applauds the Commission's flexibility and recognition that wireless technological

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¹*Wireless Telecommunications Bureau Requests Targeted Comment on Wireless E911 Phase II Automatic Location Identification Requirements*, Public Notice, CC Docket No. 94-102, DA 99-1049 (rel. June 1, 1999).

change can outpace regulation and RTG hopes to shed light on its rural concerns in this important proceeding.

II. Comments

RTG agrees that the Commission should reevaluate the appropriate methodology for determining ALI accuracy. As Ericsson and the Wireless E911 Implementation Ad Hoc Group point out, a small number of measurements that are in error will prevent a carrier from complying with the FCC's ALI requirement even if the overwhelming majority of ALI measurements are accurate. In rural regions, which generally experience a much lower number of E911 calls than urban or suburban regions, one inaccurate anomaly could prevent an otherwise conscientious carrier from meeting the FCC's 125 meter Root Mean Squared ("RMS") standard. The Commission's emphasis should not be on stringent statistical measurements, rather its emphasis should continue to be on public safety as its reexamination of its accuracy methodology suggests.

Any revamping of the Commission's accuracy standard for handsets must also be applied to network-based solutions in keeping with the FCC's technologically neutral pledge. RTG encourages the Commission to reexamine its 125 meter standard, especially in rural areas. While a 125 meter standard may be appropriate for downtown Washington, DC, 125 meters is unnecessary in sparsely-populated eastern New Mexico. Locating an E911 call within 125 meters on a remote stretch of highway is overkill. RTG suggests the Commission index its distance standard to population density or at least allow rural carriers more flexibility in meeting whatever standard the Commission eventually mandates.

One technologically neutral option the Commission should not abandon is network-based solutions. Many carriers have already sunk costs in developing network-based solutions to locate

E911 callers. The Wireless Consumers Alliance (“WCA”) petition to discard network-based solutions² should be denied. WCA’s dismissal of any solution that is not 100 percent accurate and its reliance on Global Positioning System (“GPS”) satellites is belied by the fact that even GPS can fail.³ The Commission should continue to allow manufacturers and carriers to develop reasonable solutions rather than resort to the draconian mandates that WCA proposes.

The public safety of wireless customers who roam through RTG member’s rural territories is a constant concern to RTG members. Those RTG members who have adopted a network-based solution should be able to accommodate roamers and RTG believes that the industry, on its own, should be able to develop an ALI standard for handsets that, over time, will be ubiquitous.

In the meantime, RTG agrees with commenters who contend that Phase I-level location information should suffice for more than adequate roamer safety. In rural areas, the vast majority of roamers are traveling through RTG member territory on either interstate or intrastate highways. On such highways, Phase II standards are practically unnecessary since a highway limits where an E911 caller could be located. Phase I standards for rural roamers will work extremely well for roamers without ALI-capable handsets. The Commission should concentrate its roaming concerns on congested urban areas, not vast stretches of rural highway.

RTG encourages the Commission to avoid any excessively costly handset replacement program. The cost necessitated by a draconian regulatory approach could raise the cost of

²*Petition of the Wireless Consumers Alliance, Inc. to Modify 47 C.F.R. Sections 20.18(e) & (f)*, CC Docket No. 94-102 (filed: June 1, 1999).

³Solar storms, as well as man-made errors, can erase satellite signals.

wireless use and discourage many customers from purchasing a wireless phone. Since many customers are motivated by safety concerns when they purchase a wireless phone, any phone is better than no phone. RTG members, like most of the wireless industry, are striving to provide larger “buckets” of minutes at lower monthly rates to make a wireless phone affordable to everyone. RTG suggests that it is the manufacturers who have more control over affordable ALI-capable handsets than the providers. It is important that consumers are not deterred from replacing their phones due to prohibitive costs. With mass-produced phones, a low-cost ALI-capable phone will be universally available.

The Commission’s flexible approach in this *Public Notice* should extend to the pending waivers in this proceeding. Carriers should be allowed to choose the technology that best promotes E911 safety in each carrier’s individual circumstances. For example, if the vast majority of roaming traffic results from an interstate highway, such a carrier should be allowed a permanent waiver of the Commission’s Phase II rules for roamers if Phase I standards are more than sufficient. If a carrier can demonstrate that a network-based solution with an ALI accuracy level of 500 yards is more than acceptable due to flat, low population-density terrain, then the FCC should also consider a waiver. The bottom line is safety, not standards.

III. Conclusion

The FCC is heading in the right direction in this proceeding. Ultimately, consumers buy wireless phones for safety and it is incumbent upon any wireless carrier that wants to continue to compete in its market to offer the best safety features possible.

Respectfully submitted,

RURAL TELECOMMUNICATIONS GROUP

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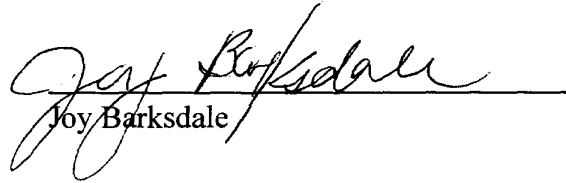
CERTIFICATE OF SERVICE

I Joy Barksdale, an employee in the law firm of Bennet & Bennet, PLLC, hereby certify that on this 17th day of June, 1999, a copy of the foregoing Comments of the Rural Telecommunications Group was served via hand delivery to the parties listed below:

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